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C O N F I D E N T I A L SECTION 01 OF 02 ABUJA 001937

SIPDIS

E.O. 12958: DECL: 11/07/2013

TAGS: [PREL](#) [PGOV](#) [LI](#) [NI](#)

SUBJECT: TAYLOR TO SIERRA LEONE SPECIAL COURT STRATEGY

REF: A. ABUJA 1730

[B](#). ABUJA 1034

[C](#). ABUJA 1134

[D](#). ABUJA 1246

[E](#). ABUJA 1327

[F](#). ABUJA 1831

CLASSIFIED BY CDA ROGER A. MEECE FOR REASONS 1.5 (B) AND (D).

[1](#). (C) SUMMARY: The GON believes it has performed a major service by taking a leadership role in arranging Taylor's departure from Liberia, and committing its own troops to participate in needed related follow-up peacekeeping efforts. Both have involved significant domestic political risk. Nigerians believe that Taylor is losing influence inside Liberia as the transition there moves forward. There have been signs that President Obasanjo eventually plans to rid himself of Taylor, and the political burden that he represents, but likely only in a fashion that preserves GON integrity in commitments it made to get Taylor out of Liberia in the first place. The GON is likely to react badly to overt pressure to turn Taylor over to the Sierra Leone special court too soon. Such overt pressure risks a counterproductive inclination by at least some Nigerians to keep Taylor a bit longer than might otherwise be the case vs. appearing to give in to a fickle U.S. prevailing sentiment.

[2](#). (C) A better alternative would be to engage the GON to tell us what Obasanjo may see as an appropriate timetable for Taylor's departure to a Liberian court, and perhaps ultimately to the Special Court for Sierra Leone (SCSL), a logical extension of the GON's public position. A perceived threatening approach to the GON for an immediate turnover could result in embarrassment and a sharp if relatively short downturn in bilateral relations, and we believe it would be unlikely to get Taylor to the SCSL any sooner. END SUMMARY.

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BACKGROUND  
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[3](#). (C) Taylor was granted asylum in Nigeria as part of a deal the GON made at our request and in Nigeria's own interest. The USG also made clear on multiple occasions, including President Bush's visit to Nigeria in July (REF D), that Taylor's departure from Liberia was a prerequisite for any deployment of U.S. combat forces to that country and related progress in the peace process. By agreeing to accept Taylor, with USG concurrence, the GON opened the door to allow the Free Port and other key objectives to be secured much sooner than would have been the case otherwise. Indeed, the GON action could be argued as being the key that has led directly to the current transitional government.

[4](#). (C) Despite numerous international and some domestic calls for Taylor to be transferred to the SCSL, it is clear President Obasanjo does not plan to do so in the immediate future, and prefers us not to ask (REF A). Obasanjo does not want to renege on exile for Taylor so soon, for credibility and reasons of African politics. Obasanjo has stated publicly that he would, however, be in favor of sending Taylor back to Liberia if the new GOL wanted to put Taylor on trial. For this reason, GOL coating for a request to send Taylor to the SCSL may be an easier pill for Obasanjo to swallow eventually.

[5](#). (C) Western public pressure or threats of sanctions are likely to make that pill harder to swallow. Obasanjo also has been unmoved by sticks in previous cases, such as the sanctions over the 2001 Benue massacre (REF B), and probably would not obligingly agree to a USG request based on such threats. Obasanjo has already taken heat among some Nigerians for granting Taylor asylum, overruling his Chief of Defense Staff by deploying two battalions to Liberia (REF E), and disregarding the wishes of his MFA and many top advisors by signing the Article 98 agreement (REF C) -- all in response to USG requests. After already enduring the fallout from granting Taylor asylum in the first place, Obasanjo is

unlikely to send Taylor to the SCSL in a way that will make him appear to be merely doing the USG's bidding again -- even if that bidding is perceived to have changed.

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NIGERIA'S THINKING ON TAYLOR  
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16. (C) In addition to the political aspects above, it is the Nigerians who have troops on the ground in Liberia and stand to lose if Taylor's influence there upsets the transition appletart. The GON tells us that they see Taylor's influence in Liberia continuing to wane, and that reports he maintains contact with supporters in Liberia, while troubling, are neither surprising nor an insuperable obstacle. With every day that passes and with every decision made by Gyude Bryant's transitional government, the Nigerians believe, Taylor's ability to influence events in Liberia from Nigeria decreases.

17. (C) The Nigerians do not doubt that Taylor will continue to attempt to meddle in Liberian affairs. And they have signaled that major violations of Taylor's terms of exile could become a reason to send him to the SCSL. The Nigerians point out, however, that Taylor can only cause serious trouble if he goes free, and that the SCSL cannot guarantee his conviction.

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OUR THINKING  
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18. (C) A better alternative than overt pressure to move Taylor now would be to work out an understanding with the GON on how and why Taylor would end up at the SCSL. Tactically, we would start by working our way toward Obasanjo's telling us what he sees as the appropriate timetable for Taylor's departure to the SCSL or a Liberian court. This would not be an abrupt change. We are already in a dialogue with the GON where we point out Taylor's misbehavior and tell the Nigerians the SCSL is the appropriate place to send Taylor if he misbehaves, and the Nigerians respond that Taylor's misbehavior is within expected bounds and the results of his misbehavior are less and less over time for reasons on the ground in Liberia. Packaged with a GOL request that Taylor be moved somewhere, it would be hard for the Nigerians to avoid moving the present discussion forward in the direction it is already going.

19. (C) A threatening approach demanding Taylor's immediate handover, on the other hand, has costs no matter how it turns out. If Obasanjo refused such a request, the cost would be embarrassment for us and a sharp but probably relatively short downturn in our relations with the GON. And the shortness of the downturn assumes the SCSL eventually convicts, sentences and incarcerates Taylor. If Obasanjo on the other hand caved in, which we believe unlikely at the moment, the cost would be major embarrassment for him and a lengthier but softer downturn in our relations with the GON.  
MEECE